

Application Supplement for Board of Adjustment and Zoning & Planning Board

If you are seeking a variance from the Board of Adjustment and your proposal involves a bedroom addition or conversion onto a residence, a floor plan (showing all room dimensions and doorways) and a site plan (showing an outline of your completed proposal with all rear, front, and side yard setbacks indicated) and a recent survey, as described in detail under *150-027 Survey Requirements* below, are required.

For Board of Adjustment variance requests for a rear yard canopy or chickee hut, in addition to a survey and site plan, detailed construction drawings for the canopy or chickee hut are also required.

For Board of Adjustment variance requests to maintain a boat or other recreational vehicle in the side yard of a property, please be sure to indicate the total length (including trailer), height and width of the boat or rv on the survey, as well as any existing mechanical equipment, landscaping or other obstructions on the property which have a bearing on your case.

For all other Board of Adjustment and Zoning & Planning Board applications, a site plan and a recent survey are required.

Please note: Details on the number of copies of each document to be submitted are included in the attached application.

150-027. Survey Requirements (City of Miami Springs Code of Ordinances, § 150-027)

(C) Recent Property Survey - Applicants for building permits or variances may satisfy the city requirement for providing a "recent property survey" in any of the following manners:

1. Submission of a properly certified property survey of the subject property seeking a building permit or variance that is less than one (1) year old accompanied by a written statement from the property owner that the

survey accurately depicts the structures, landscaping, incidental furnishings or equipment and topographical features currently on the subject property.

2. If the applicant does not have a “recent property survey” (less than one (1) year old) of the subject property, then the existing property survey may be submitted with an affidavit from an architect, engineer, or other certified design professional, who is acceptable to the City, which certifies and evidences that the existing survey remains an accurate representation of the structures, landscaping, incidental furnishings or topographical features of the subject property. This affidavit shall also be supplemented by an attachment thereto that properly designates dimensions of any additions or modifications to the subject property not contained and designated on the survey submitted.

3. If the applicant is unwilling or unable to secure the aforesaid affidavit from an approved design professional, then the existing property survey may be submitted with a request that an appropriately designated City representative or employee conduct an inspection of the subject property to determine that the existing survey remains an accurate representation of the structures, landscaping, incidental furnishings or equipment, and topographical features of the subject property. The City representative or employee shall prepare a report about the present condition of the subject property with an attached diagram or sketch that properly designates dimensions of any additions or modifications to the subject property not contained and designated on the survey being submitted by the applicant.

a. The City shall charge a fee of Fifty (\$50.00) Dollars for the aforesaid inspection.

b. By requesting this inspection service from the city, the applicant is also authorizing the city to conduct a review of the subject property for any code violations that may currently exist.

c. The utilization of the aforesaid “inspection service” by the city is not a warranty or guaranty of the issuance of any building permit or the granting of any required variance.

If there are any questions regarding submittal requirements for either the Board of Adjustment or the Zoning & Planning Board, please call Richard Ventura, City Planner, at 305-805-5034.



**BOARD OF ADJUSTMENT
CITY OF MIAMI SPRINGS, FLORIDA**

APPLICATION FOR A VARIANCE HEARING

How to apply for a variance:

1. Please complete the application below in its entirety.
2. Attach any drawings or pictures that might support your case.
3. Attach nineteen (19) copies of the property survey that is **less than one (1) year old**. If the applicant does not have a recent property survey, the existing property survey may be submitted with an affidavit from any certified design professional which certifies that the existing survey remains an accurate representation of the structures, landscaping, incidental furnishings or topographical features of the subject property or the applicant may request that an appropriately designated City representative or employee conduct an inspection of the subject property to determine that the existing survey remains an accurate representation of the structures, landscaping, incidental furnishings or equipment, and topographical features of the subject property (See Code of Ordinance Section 150-027 for further requirements and applicability). Applicants that are requesting a variance to maintain a boat, recreational vehicle, or trailer in the side yard of their property must include the presence of any and all obstructions in the side, rear, and around the perimeter of the property, such as trees, hedges, play ground sets, boats, vehicles, swimming pools, mechanical equipment, utility sheds, etc. These obstructions can be drawn in by hand. You should also submit any photographs that indicate any and all of the above mentioned obstructions. The Planning Department will also visit the property before the scheduled meeting date in order to take photographs for the City's files.
4. The applicant is further required to submit a site plan of the property proposed for variance consideration which provides sufficient set back information and dimensions which will provide the Board with a better understanding of the variance request. For additions and enclosures you must attach nineteen (19) copies of the aforesaid site plan.
5. The City reserves the right to require any additional information or documentation that it determines to be relevant or material to the Board's consideration of the pending application prior to scheduling the application for the variance hearing before the Board.
6. Please submit the application form and any attachments with the required \$50.00 fee to the Planning Department, 201 Westward Drive., Miami Springs, FL. 33166, **no later than the first day of the month preceding the month of the meeting date of the Board of Adjustment.**
7. **The applicant(s) or a representative (with a letter of authorization) must be present at the meeting.**
8. The Board of Adjustment meets on the first Monday of each month. July is the only month that there are not any meetings.
9. The applicant, as well as all surrounding neighbors will receive a courtesy notice from the Planning Department ten (10) days prior to the scheduled meeting date.
10. The Board of Adjustment consists of five (5) members. Three votes are needed in favor of the variance in order for the variance to be approved. In the case that more than one Board member is absent, you may decide to table the variance for the next scheduled meeting date when the absent Board members are present.
11. In the event the variance is denied, the decisions of the Board of Adjustment may be appealed to the Board of Appeals pursuant to Code Section 150.113. Any person appealing any decision may need to ensure that a verbatim record is made of the proceedings, which record includes the testimony and evidence upon which the appeal is made. (F.S. 286.0105). A request, in letter form, must be made to the City Manager within ten (10) days starting with the day after the meeting date. All appeals must be accompanied by a payment of \$25.00, which will cover a second series of notices, postings, and various other preparations. The appeal will be heard on the last Wednesday of the month by the City Council sitting as the Board of Appeals, or at such other time as the City Council deems appropriate.

OFFICIAL USE ONLY

Case No. : _____ -V- _____ Date: _____ Fees Paid/ Receipt No. : _____
Date hearing is advertised: _____ Date set for Public Hearing: _____
The owner and/or his/her agent has _____ has not _____ submitted a application regarding
the subject within the last six months.

(I) (We) _____ of _____

Owners Name

Address Variance Requested For

Request that a determination be made by the Board of Adjustment of the City of Miami Springs, on the following appeal that was denied by the Building Official on _____ for the reason that it is a matter, in which the Building official could not exercise discretion and which, in his opinion, might properly come before the Board.

A variance is requested from Sec. _____, Sub-Sec. _____ Para. _____ to the Schedule of District Regulations of the Zoning Ordinance of the City of Miami Springs, for the following reason:

_____ It is an appeal for an interpretation of the ordinance, Schedule of Districts.

_____ It is a request for a variance relating to the area, frontage, yard or open space, height, or _____ (state if the request is for a purpose other than those listed above).

The legal description is _____

Lot(s)

Block

Subdivision

Also known as (if applicable) _____

Lot Size: _____ Present Zoning District: _____

Present Use: _____ Present Structure on the Land: _____

Effect of petition if granted: _____

Have any previous applications or appeals been filed within the last six (6) months in connection with these premises? Yes _____ No _____

If yes, briefly state the nature of the previous application. _____

Interest of applicant to the premises affected: _____

(Owner /Lessee/ Agent)

If you are the owner, how long have you owned this property? _____

What is the approximate cost involved in this change? \$ _____

(I) (We) believe that the Board of Adjustment should grant this petition for the following reasons:

(Please include the grounds for the appeal and reasons with respect to the law and fact for granting the appeal or special exception or variance. **SHOWING OF UNNECESSARY HARDSHIP MUST BE MADE BEFORE A VARIANCE CAN BE GRANTED**; the grounds must be stated.)

_____ Attached are nineteen (19) copies of a recent survey of the property in question, showing the boundary lines, together with the boundaries of the proposed changes and/or additions, for which a variance is requested as previously described herein.

_____ Attached are nineteen (19) copies of the site plan for the proposed building or addition for which a variance is requested as previously described herein.

(I) (We) understand this petition becomes part of the permanent records of the Board of Adjustment.

(I) (We) hereby certify that the above statements and the statements or showing made in any papers and/or plans submitted are true to the best of my/our knowledge and belief.

Signature of Owner

Signature of Co-Owner

Printed Name of Owner

Printed Name of Co-Owner

Daytime Phone Number

Daytime Phone Number

The contents of this Petition are Sworn
to and subscribed before me this _____
day of _____, 20_____.

The contents of this Petition are Sworn
to and subscribed before me this _____
day of _____, 20_____.

Signature of Notary Public- State of Florida

Signature of Notary Public- State of Florida

Print, Type, or Stamp Name of Notary Public

Print, Type, or Stamp Name of Notary Public

Commission Expiration Date: _____
Personally known to me: _____
Produced Identification: _____

Commission Expiration Date: _____
Personally known to me: _____
Produced Identification: _____